

The Honorable John H. Chun

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official  
capacity as President of the United States of  
America, et al.,

Defendants.

NO. 2:25-cv-00602-JHC

DECLARATION OF  
MARY HALL

I, Mary Hall, declare as follows:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge.

2. I am the Thurston County Auditor. In this position, I am responsible for overseeing elections and managing voter registration in Thurston County, Washington. As part of those duties, I oversee the Thurston County Auditor's elections team, which manages every part of the election process, from candidate filing to ballot design, processing, and security. Thurston County is the sixth most populous county in Washington State and has approximately 208,927 registered voters.

3. For primary and general elections for federal office, my office employs both permanent and seasonal staff. For the 2024 primary election, my office employed 12 permanent

1 staff members and 101 seasonal staff members. For the 2024 general election, my office  
2 employed 13 permanent staff members and 133 seasonal staff members.

3 4. For primary and general elections for federal office, my office operates two  
4 voting centers. One is in Tumwater, Washington and the other is in Lacey, Washington. At these  
5 voting centers, eligible persons can register to vote, update voter information, receive a  
6 replacement or reissued ballot, use an accessible voting machine, or receive other assistance with  
7 voting.

8 5. In 2024, the voting center in Tumwater was open on October 16 to November 1  
9 from 8:00am to 4:30pm; on Saturday, November 2 from 10:00am to 4:00pm; on Monday,  
10 November 3 (the day before election day) from 8:00am to 6:00pm; and on election day from  
11 8:00am to 8:00pm. There are always at least 23 staff members working at the voting center in  
12 Tumwater, including those working at the phone bank.

13 6. In 2024, the voting center in Lacey was open on October 28 to November 1  
14 from 10:00am to 4:00pm; on Saturday, November 2 from 10:00am to 4:00pm; on Monday,  
15 November 3 (the day before election day) from 10:00am to 6:00pm; and on election day from  
16 8:00am to 8:00pm. There are always at least 6 staff members working at the voting center in  
17 Lacey. Staff at these voting centers assist all voters who are in line by 8:00pm on election day.

18 7. In 2024, voter services were also available at the Student Engagement HUB at  
19 Evergreen College in Olympia, Washington and at several branches of the Timberland Library.  
20 At these locations, eligible persons could register to vote, update voter information, receive a  
21 replacement or reissued ballot, or receive other assistance with voting.

22 8. In the 2024 primary election, the Tumwater and Lacey voting centers assisted  
23 476 voters. In the 2024 general election, they assisted 3,213 voters.

24 9. My office is responsible for processing voter registrations and updates for  
25 residents of Thurston County. We receive voter registrations in various forms from various  
26 sources. We receive paper voter registration forms filled out by voters, which can be received

1 from individual voters or organizations conducting voter registration drives, such as non-profit  
2 organizations, political parties, or political campaigns. We also receive electronic voter  
3 registrations filled out by Thurston County residents through the Secretary of State's online voter  
4 registration tool. We also receive paper and electronic voter registrations from the Washington  
5 State Department of Licensing and state voter registration agencies, such as the Department of  
6 Social and Health Services.

7 10. When processing voter registrations, we ensure that the form requires all  
8 information necessary to determine if the applicant is eligible to vote, including a citizenship  
9 attestation. If the applicant has not attested that they are a United States citizen and signed the  
10 form under penalty of perjury, the person is not registered to vote. We also verify the applicant's  
11 identity. This is usually done using the applicant's driver's license number, Department of  
12 Licensing identification card number, or the last four digits of the applicant's social security  
13 number. Through my experience as Thurston County Auditor, I have learned that there are  
14 Thurston County residents who are United States citizens but do not have a driver's license or a  
15 Department of Licensing identification card.

16 11. During the 2024 calendar year, my office processed approximately 320  
17 transactions, including new voter registrations and voter registration updates, involving the  
18 Federal Form. In addition, it processed 7,180 transactions, including new voter registrations and  
19 voter registration updates, received from state voter registration agencies (i.e., the Department  
20 of Social and Health Services, Department of Licensing, the Health Care Authority, the Health  
21 Benefits Exchange, and the Department of Services for the Blind).

22 12. My office is always improving its election process to make voting more  
23 accessible and secure. Currently, we have plans to make a variety of improvements. For example,  
24 we are working on expanding and hardening our ballot processing center. Additionally, we  
25 recently adapted our observer program to allow for greater security and transparency and worked  
26 with our local transit agency to increase accessibility. Both of these efforts received national

1 attention. These projects require time and expense, and our current budget reflects these  
2 priorities. Our budget does not leave room for unfunded mandates from the federal government.

3 13. I have read and am familiar federal and state laws related to elections, including  
4 the provisions of the National Voter Registration Act, the Help America Vote Act, UOCAVA,  
5 and the MOVE act, etc.

6 14. I have read Executive Order No. 14,248 and am familiar with its contents.

7 15. I understand that the executive order requires the Election Assistance  
8 Commission (EAC) to change the Federal Form to require documentary proof of United States  
9 citizenship.

10 16. I understand that the executive order also requires the EAC to change the Federal  
11 Form to require that State and local election officials record on the form information about the  
12 documentary proof of citizenship. I understand that the executive order limits “documentary  
13 proof of citizenship” to U.S. passports, REAL ID Act-compliant identification documents that  
14 indicate U.S. citizenship; military identification cards that indicate U.S. citizenship, and valid  
15 federal or state government-issued photo identification that either indicates U.S. citizenship  
16 or is accompanied by proof of U.S. citizenship. Recording the information identified in  
17 Section 2(a)(i)(B) of the executive order will be a time-consuming process involving  
18 considerable expense. This information must be recorded “on the form” and must also be entered  
19 into the VoteWA database. My office will have to design quality control systems to ensure that  
20 this information is recorded accurately. Based on my experience, I estimate that the time required  
21 to accurately record this information is 4 minutes for each voter registration form. Election staff  
22 are paid at least \$35 per hour. It’s difficult to estimate the time and resources required until the  
23 Secretary of State’s office makes the required modification to the state voter registration system  
24 (VoteWA), but it’s safe to say that this requirement will divert substantial time and resources  
25 from other projects.  
26

1           17. In addition, my office will have to train all staff who process voter registration  
2 forms to understand what documents constitute “documentary proof of citizenship” and how to  
3 determine whether the document or copies of the document are authentic. This would require  
4 substantial training in authenticating documents from all states, territories, and the District of  
5 Columbia. There is limited staff that can be trained to perform this function. Undergoing the  
6 requisite training and carrying out these requirements will be very burdensome on those staff  
7 members. My office will also have to develop procedures to review transactions and ensure that  
8 staff are correctly recording the information.

9           18. If voters using the Federal Form are required to present documentary proof of  
10 citizenship in person, this will substantially increase the burden on my office. Based on past  
11 experience with voter registration, I estimate that each voter registration transaction involving  
12 in-person presentation of documentary proof of citizenship will take 15 minutes. As a result, this  
13 would either cost per transaction per person at least \$8.75 to implement or will divert staff time  
14 from implementing other important election-related activities.

15           19. If the documentary proof of citizenship requirement is interpreted to extend  
16 to the Washington State voter registration form, this will massively increase the cost of  
17 implementation. It would be impossible for my office to comply with such a requirement within  
18 existing funding.

19           20. If the documentary proof of citizenship requirement is interpreted to require that  
20 each currently registered voter show documentary proof of citizenship in order to remain  
21 registered to vote, the burden on my office would be insurmountable. There are approximately  
22 208,927 registered voters in Thurston County. That would require that our office process  
23 documentary proof of citizenship for approximately 564 voters each business day between now  
24 and the 2026 primary election. This is simply not possible. And the reality is that the vast  
25 majority of the 208,927 voters would wait until close in time to election day, requiring the  
26

1 processing of tens of thousands—or even hundreds of thousands—of voter registration updates  
2 in a day. This, too, is impossible.

3 21. It is my current understanding that, in Washington, if a voter returns a Federal  
4 Form or an agency based voter registration form and attests to being a United States citizen but  
5 does not provide documentary proof of citizenship, federal and state law require that my office  
6 register that person to vote. If, however, my office were required to reject the Federal Form or  
7 agency-based voter registration form, we would need to send a mailing to the applicant  
8 explaining why we rejected the voter registration application and explaining the additional  
9 information the applicant must provide. This would require both staff time and postage,  
10 significantly increasing the cost of complying with the executive order.

11 22. The executive order's requirement of documentary proof of citizenship is already  
12 causing confusion for elections administrators. Specifically, it has created uncertainty about  
13 whether people who registered using the state form will be able to vote in federal elections or  
14 whether such voters are only eligible to vote in state and local elections. If the executive order  
15 were to be interpreted to disqualify voters who registered using the state form from voting in  
16 federal elections, my office would need to plan for the possibility of holding two separate  
17 elections. This would be extremely challenging logistically and financially, result in mass  
18 confusion for voters and an expensive public education campaign, and create an enormous  
19 administrative burden on election day.

20 23. The executive order's requirement for documentary proof of citizenship is also  
21 causing confusion for Thurston County voters. This confusion requires that my staff spend time  
22 explaining voting requirements to registered voters. This is time that staff would otherwise spend  
23 on other important projects, like helping to register new voters. Based on past experience, I know  
24 that communications from confused voters will increase as we get closer to election day. Our  
25 office regularly receives a large number of communications for voters on election day itself.  
26 Election day is already very busy for my office. Having to assist large numbers of voters who

1 are confused about whether they must show documentary proof of citizenship would be  
2 exceptionally disruptive to the election process.

3 24. I am also concerned about the many confused voters who have *not* contacted my  
4 office. Many citizens do not have birth certificates or marriages licenses easily accessible. We  
5 would likely find ourselves coaching voters on how to obtain these documents. Many voters  
6 would be denied access to voting in federal elections. Women who have changed their name due  
7 to marriage, or citizens who have changed their names would face bigger hurdles if they could  
8 not reconcile these changes with their birth certificate. The recording side of my office could be  
9 overwhelmed with the requests for marriage licenses and where to obtain the necessary  
10 supporting documentation.

11 25. Unless there is a court order preventing the documentary proof of citizenship  
12 requirement from taking effect, my office will have to prepare and distribute materials to the  
13 public explaining how the documentary proof of citizenship requirement works. This effort  
14 would involve preparing television, social media, radio, and print advertising, as well as a  
15 mailing to all households in the county. Based on past efforts, I estimate that this would cost  
16 upwards of \$100,000. A countywide glossy mailer cost us about \$15,000 in prior years. We  
17 would need to do multiple fliers, escalating to a high turnout presidential year. This would also  
18 include social media and digital advertising we would also need to mix in on the backend to  
19 explain the change. Because the executive order does not provide any funding for  
20 implementation, this money would have to come from existing funds that would otherwise be  
21 put toward election security and voting registration efforts, among other things.

22 26. I understand that the executive order interprets federal law to require that ballots  
23 be received by election day, except for ballots from UOCAVA voters.

24 27. I further understand that the executive order directs the United States Attorney  
25 General to take “all necessary action” against States that violate this interpretation of federal law  
26

1 and that the executive order directs the EAC to condition all available funding to States on  
2 compliance with this interpretation.

3 28. My office routinely receives ballots after election day that are postmarked on or  
4 before election day. In the 2024 general election, we received 3,566 such ballots. Of these,  
5 approximately 1,400 had a postmark *before* election day, meaning that the voter did not wait  
6 until the last day to cast a ballot. Many—but not a majority—of the ballots received after election  
7 day come from military and overseas voters, who are not able to return their ballots to a secure  
8 drop box in Thurston County.

9 29. My office encourages voters to return ballots to secure ballot drop boxes if they  
10 are returning the ballot within five days of the election. We make this recommendation because  
11 of the uncertainty involved with returning a ballot through the U.S. Postal Service. In light of  
12 recent service changes, there are fewer USPS distribution centers at which postmarks are applied.  
13 As a result, ballots must be transported longer distances before a postmark can be applied. This  
14 creates a risk, especially for voters in more rural areas, that ballots may not receive a postmark  
15 on the same day that they are put in the mail. Even though our office recommends returning  
16 ballots to a secure ballot drop box, we still receive a significant number of ballots after election  
17 day that are postmarked by election day.

18 30. Given that many voters are dependent on USPS, the executive order's ballot  
19 receipt provision is likely to disenfranchise thousands of voters for reasons beyond their control.  
20 In addition to there being fewer USPS distribution centers at which postmarks are applied, my  
21 office has observed that USPS is slower and less reliable than in the past. A few years ago, we  
22 would receive mailings within approximately one to two days. Now, the timeframe is longer and  
23 unpredictable. Thus, even voters who mail their ballot days in advance of the election would not  
24 be guaranteed that their ballot would be received in time to be counted.

25 31. An election day ballot receipt deadline is not necessary for my office to  
26 administer the elections process. No matter what the ballot receipt deadline is, vote totals will



1 not be final on election day. Under Washington law, certification of elections by the Thurston  
2 County Canvassing Board does not happen until two to three weeks after the primary or general  
3 election. During this time, voters who inadvertently forgot to sign their ballot return envelopes  
4 or whose signatures did not match the signatures on file have the opportunity to cure their  
5 signatures and have their ballots counted.

6 32. In fact, an election day ballot deadline would make it *more* difficult for my office  
7 to administer the election process. For example, although we generally pick up ballots in ballot  
8 drop boxes on election night, some of our ballot drop boxes are located in flood zones. If the  
9 ballot drop boxes are flooded, we would need to coordinate with the Fire Department to ensure  
10 timely pickup.

11 33. An election day ballot deadline would also result in extraordinary logistical  
12 challenges to the extent that such ballots could not be counted for federal elections but could be  
13 counted for state and local elections. This would require significant procedural changes in the  
14 administration of elections that would be incredibly time-consuming and costly to implement. It  
15 would also present challenges for ensuring accuracy, security, and privacy. For one, it's unclear  
16 how such processes could even be audited or reconciled. At the very least, it would require  
17 modifications to our pre-existing databases to ensure accurate recordkeeping.

18 34. Based on my experience, an election day ballot receipt deadline is a terrible  
19 policy. It does not make elections more secure. Regardless of when the ballot is received, the  
20 postmark ensures that it was *cast* by election day. It does not result in earlier election results.  
21 Election results will not be final until certification, regardless of the ballot receipt deadline. And  
22 it does not simplify election administration. Instead, an election receipt deadline only serves to  
23 disenfranchise voters based on USPS delays beyond the voter's control and, as a result, to make  
24 the election results less reliable, as they less accurately reflect the preferences of the electorate.

25 35. The prospect of criminal prosecutions of election officials who follow state law  
26 and accept timely-cast ballots received after election day is deeply chilling. I am aware that a

1 Department of Justice attorney represented to a federal court in another matter that the  
2 Department of Justice could pursue criminal prosecutions related to ballot receipt deadlines. This  
3 statement is reprehensible. The potential for criminal prosecution will make it more difficult to  
4 hire election workers.

5 36. My office has indirectly received funding from the Election Assistance  
6 Commission and expects to receive more funding in the future. This funding is distributed  
7 through the Washington Office of the Secretary of State, and Thurston County has used it for  
8 purposes such as security and expansion of a new Voting Center across from our Ballot  
9 Processing Center, adding security cameras inside and outside of our facility, and increasing  
10 security during federal elections. The loss of this money would interfere with my office's ability  
11 to make improvements to the security and accessibility of elections.

12 37. I understand that the executive order directs the EAC to amend its Voluntary  
13 Voting System Guidelines 2.0 to "provide that voting systems should not use a ballot in which  
14 a vote is contained within a barcode or quick-response code in the vote counting process except  
15 where necessary to accommodate individuals with disabilities, and should provide a voter-  
16 verifiable paper record to prevent fraud or mistake."

17 38. I further understand that the executive order directs the EAC to review voting  
18 systems and either re-certify voting systems under the amended guidelines or rescind previous  
19 certifications. The executive order requires that this occur within 180 days. I do not believe this  
20 is possible, as it takes years for voting systems to go through the certification process. It is likely  
21 this could not even be accomplished in time for the 2026 election.

22 39. Thurston County Elections uses the Election Systems & Software (ES&S) EVS  
23 voting system. The EAC has certified that this voting system conforms to the Voluntary Voting  
24 System Guidelines Version 1.0. There are currently no voting systems that have been certified  
25 to conform to the Voluntary Voting System Guidelines Version 2.0.  
26

1           40. Thurston County uses the ES&S EVS voting system as its accessible voting unit.  
2 An accessible voting unit is a touchscreen system primarily intended for use by persons with  
3 disabilities. However, any voter may use the accessible voting unit.

4           41. Before each election, my office conducts a logic and accuracy test of the voting  
5 system. This test ensures that the voting system correctly counts ballots by creating a batch of  
6 filled-out ballots, running them through the machine, and comparing the machine's results to the  
7 ballots. Representatives of the Office of the Secretary of State, observers from political parties,  
8 and members of the public are invited to watch the logic and accuracy testing.

9           42. After each election, my office conducts a post-election audit. This involves taking  
10 a sample of actual ballots cast during the election, conducting a hand count, and comparing the  
11 results of the hand count to the machine count of those ballots. The public is invited to observe  
12 this process. During the hand count, three election workers independently count the ballots. It is  
13 common that there is a discrepancy between the three hand counts. When there is a discrepancy  
14 between the hand counts, another team of three election workers conducts an independent count  
15 to resolve the discrepancy. The final result of the hand count is then compared to the count by  
16 the voting system. The voting system results consistently match the final result of the hand count,  
17 and the voting system counts the ballots in a fraction of the time required for a hand count.

18           43. If a voter uses an accessible voting unit, the system prints a machine readable  
19 ballot. The voter can verify their votes, but the votes are embedded in the barcode that is read by  
20 central ballot scanners. If the EAC amends its Voluntary Voting System Guidelines in  
21 accordance with the executive order's directives, this type of voting system will not be federally  
22 certified, and we will have to purchase new ones. As a direct result of the executive order, we  
23 have already initiated discussions with our vendor about acquiring new equipment.

24           44. In addition to the vote-containing barcodes on the ballots printed by the accessible  
25 voting units, all ballots contain timing marks that depict the precinct number and election ID.  
26 This code does not contain votes or identify who received the ballot. Instead, this code identifies

1 the ballot type (i.e., which local races are included for the applicable precinct) and creates a  
2 unique identifier for the ballot. These codes are also read by central ballot scanners. The  
3 executive order has already created confusion about whether these barcodes are also prohibited  
4 by the executive order.

5 45. I am deeply concerned about the possibility of having to replace our voting  
6 systems. Voting systems are expensive. Replacing the ES&S voting system would cost over  
7 \$550,000. In addition to the cost of replacing the voting system, my office would also have to  
8 devote extensive time and resources to training staff on how to use the new voting system.

9 46. If the EAC decertifies the ES&S EVS voting system and Thurston County  
10 continues to use it, I have profound concerns about the impact on public confidence. Voter  
11 confidence has already been decreasing in recent years with increased misinformation and  
12 rhetoric. Using voting systems that have been decertified by the federal government will only  
13 further decrease public confidence and undermine my office's efforts to build trust in the election  
14 process.

15 47. Alternatively, if my office instead opts to count all ballots by hand, the time and  
16 expense will be massive. It is very difficult to hand count multiple races on a ballot. It would  
17 also be very logistically difficult to hand count federal elections but use our voting systems to  
18 count state and local elections. Because audits consistently confirm that the voting systems  
19 accurately count ballots, hand counting ballots will not in any way improve the quality of election  
20 results.


21 48. Thurston County Elections has received federal funding. These are grants passed  
22 through the EAC to the Secretary of State who distributes these to Washington counties. These  
23 are used to purchase election equipment, increase security, and other election needs.

24 49. I know from my experience in elections administration that it takes a very long  
25 time to modify procedures when there are changes. There are many details involved, and quick  
26

1 changes are not easy or practical. I have serious concerns about how we would be able to  
2 implement the executive order while ensuring the integrity of the process and public trust.

3  
4 I declare under penalty of perjury under the laws of the State of Washington and the  
5 United States of America that the foregoing is true and correct.

6 DATED this 21st day of May 2025.

7  
8   
9 MARY HALL  
10 Thurston County Auditor  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26